

MEMO ENDORSED

MARGARET M. SHALLEY, ESQ.

MARGARET M. SHALLEY & ASSOCIATES, LLC

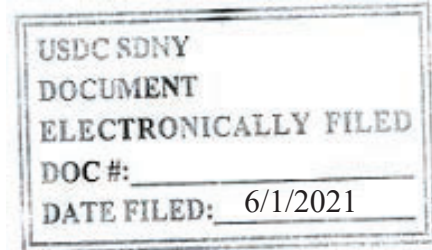
225 Broadway, Suite 715

New York, NY 10007

917-841-0231 (Phone)

212-566-8165 (Fax)

margaretshalley@aol.com



May 25, 2021

VIA ECF & EMAIL

The Honorable Nelson S. Román
United States District Court Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

**Re: *United States v. Chukwuemeka Okparaeké,*
17 Cr. 225 (NSR)**

Dear Judge Román:

We have been assigned as legal advisors to Chukwuemeka Okparaeké in the above-referenced matter. As the Court is aware, Mr. Okparaeké filed a motion to withdraw his guilty plea and moved to dismiss Counts One and Three of the Information on May 14, 2021. The Government is to respond to his motion by May 28, 2021. Mr. Okparaeké is also scheduled to be sentenced on June 9, 2021. The purpose of this letter is to respectfully request an extension of the date that the Government is to file their response to Mr. Okparaeké's motion and to request an adjournment of his sentencing.

On Thursday, May 20, 2021, advisory counsel spoke with the Government regarding Mr. Okparaeké's motion to withdraw his guilty plea. During this conversation, the Government set forth a scenario wherein the Government would elect to proceed to sentence on Count Two of the Information and proceed to trial on Count Eight of the Indictment, which carries a 20-year mandatory minimum. When counsel relayed this conversation to Mr. Okparaeké, he requested additional time to consider the implications of his motion to withdraw. Of course, whether a defendant is permitted to withdraw his plea is fully within the discretion of the Court, even where the Government consents.

As a result of this new development, it is respectfully requested that the Court extend the due date for the Government's response to the motion for two weeks, to the date of June 11, 2021. This additional time will provide counsel sufficient time to meet with Mr. Okparaeké so that he is fully aware of the ramifications of his decision. Additionally, no final PSR has been disclosed. For these reasons, counsel requests that Mr. Okparaeké's sentencing be adjourned for eight weeks, to the week of August 2, 2021. The Government consents to these requests. This is Mr. Okparaeké's third request for an adjournment of his sentencing. The first two requests were granted. Accordingly, it is respectfully requested

that the Court extend the due date for the Government's response to June 11, 2021, and that Mr. Okparaeké's sentencing be adjourned for approximately eight weeks, to the week of August 2, 2021, or a date that is convenient to the Court.

The Court's time and consideration of this matter are greatly appreciated.

Respectfully submitted,

/ s /

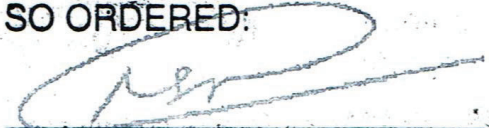
Margaret M. Shalley
Michael Bradley

cc: AUSA Gillian Grossman (*via ECF*)
AUSA Olga Zverovich (*via ECF*)
AUSA Sagar Ravi (*via ECF*)
Chukwuemeka Okparaeké (*via mail*)

Deft's requests to extend the Govt's time to respond to Deft's motion until June 11, 2021, and to adjourn the Sentencing from June 9, 2021 or, alternatively, June 11, 2021 until July 30, 2021 at 10:30 am or, alternatively, July 27, 2021 at 11:45 am are both granted with the Govt's consent. Defendant's legal advisors are directed to mail a copy of this endorsement to Deft and file proof of service. Clerk of Court requested to terminate the motion (doc. 180).

Dated: June 1, 2021

SO ORDERED:


HON. NELSON S. ROMAN
UNITED STATES DISTRICT JUDGE